

SEALED BY ORDER
OF THE COURT

FILED
AUG 14 2008
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

LEONARD B. AUERBACH,

Defendant.

No. CR 08-0367 DLJ

UNITED STATES' MOTION TO UNSEAL
SEARCH WARRANTS AND
[PROPOSED] ORDER

The United States hereby moves the Court for an order unsealing all Applications and Affidavits for Search Warrant, Search Warrants, and all attachments thereto, relating to this case. Specifically, the government obtained search warrants for the defendant's residence (No. 4:07-70464 WDB) and e-mail account (No. 3:07-70490) on August 3, 2007 and August 17, 2007, respectively. At the time the search warrants were sought, the government sought and obtained sealing orders based on the sensitivities of the ongoing federal investigation at the time, including preservation of the confidentiality of the investigation and the well being of the minor victim identified therein. Because the defendant is the sole target of the investigation and to facilitate production of discovery to the defendant, unsealing the search warrants and related documents is appropriate and necessary at this time. The government has consulted with defense counsel who

UNITED STATES' MOT. UNSEAL & [PROPOSED] ORDER
No. CR 08-0367 DLJ

1 does not oppose this motion and supports the government's efforts to unseal the search warrant
2 materials in order to provide them in discovery.

3 Dated: August 13, 2008

4 Respectfully submitted,

5 JOSEPH P. RUSSONIELLO
6 United States Attorney

7 /s/
8 ANDREW S. HUANG
9 Assistant United States Attorney

10
11 **[PROPOSED] ORDER**

12 Based upon the motion of the government and for good cause shown, it is hereby
13 ORDERED that the following shall be UNSEALED:

- 14 1. Application and Affidavit for Search Warrant, Search Warrant, and
15 all attachments thereto, No. 4:07-70464 WDB; and
16 2. Application and Affidavit for Search Warrant, Search Warrant, and
17 all attachments thereto, No. 3:07-70490.

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19 DATED: 8/14/08

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21 Hon. JOSEPH C. SPERO
22 United States Magistrate Judge
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